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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Syrian Arab Republic

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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Recommendations from the second cycle of the universal periodic review following the examination of the second national report of the Syrian Arab Republic

1. The Syrian Arab Republic, which submitted its second report under the universal periodic review mechanism and, with great frankness and transparency, participated in the discussion of that report on 31 October 2016, believes in the importance of interaction with objective, transparent and non-discriminatory human rights mechanisms. At the same time, it remains committed to dialogue and cooperation as a way to promote human rights, in accordance with the Charter of the United Nations and the human rights instruments to which it has acceded. The Syrian Arab Republic wishes to reiterate that the promotion of peace, security and national and international prosperity, while respecting and protecting human rights and fundamental freedoms, will be achieved through compliance with the Charter of the United Nations, international law and international human rights treaties, not by pursuing aggressive policies against other States, interfering in their internal affairs, financing, protecting and arming terrorists or threatening to attack other peoples under the pretext of promoting and protecting human rights. On all occasions, the Syrian Arab Republic has expressed its firm commitment to and respect for international human rights treaties and, in order to conclude the process of interactive dialogue within the context of the universal periodic review, the current document aims to express the country's position vis-à-vis the remaining recommendations and to provide complementary responses to some of the questions raised.

2. During the discussion of its report, the Government of the Syrian Arab Republic highlighted the root causes of the current crisis and the challenges it brings. It outlined the efforts it is making to address those challenges and the role that terrorism is playing in depriving the Syrian people of their human rights. That terrorism that is supported by Arab, regional and world Governments, which provide the armed terrorist groups — first among them Islamic State in Iraq and the Levant (ISIL) and Nusrah Front — with money, arms, ammunition and equipment. Their complicity with such groups includes media support, which misleads public opinion also by inventing illicit definitions such as "moderate armed opposition". This clearly violates international law and the Charter of the United Nations, which prohibit interference in the internal affairs of States, and exploits the human rights of the Syrian people as a cover for political agendas.

3. The Syrian Arab Republic rejected recommendations from certain States because they were not seeking to promote and protect human rights so much as to accuse and condemn, thereby contradicting the principles of the universal periodic review process and the Charter of the United Nations, which emphasize recourse to dialogue and enjoin non-interference in the internal affairs of independent sovereign States.

4. On the other hand, the Syrian Arab Republic welcomed the constructive observations and recommendations made by other States because they were seeking to promote and protect human rights through international dialogue and cooperation. Those recommendations were made on the basis of the Charter of the United Nations and recognized the legitimate right of the Government of the Syrian Arab Republic to counter terrorism and to fight to maintain the national unity of the Syrian people and the integrity and unity of national territory, which are threatened by a terrorist war being fuelled from abroad.

Subject	*State of implementation or acceptance*
Recommendations partly accepted or under consideration	
109.3 and 109.4	National committees in the Syrian Arab Republic are studying the possibility of ratifying optional protocols to international treaties, except as regards the death penalty.

Subject	*State of implementation or acceptance*
Recommendations accepted and in the course of being implemented	
109.5 to 109.7	National committees in the Syrian Arab Republic are studying the possibility of ratifying optional protocols to international treaties. The relevant authorities are currently taking the legal steps necessary to withdraw the reservation to article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.
109.8 and 109.9	A committee has been formed to study the possibility of ratifying the treaties and its work is at an advanced stage.
109.14	The national committee for amending the Criminal Code has considered repealing the law on mitigated penalties.
109.27 to 109.29	The Syrian Arab Republic has begun preparations for the creation of a national human rights institution in accordance with the Paris Principles. The necessary studies have been completed and the institution is in the process of being established.
109.30	Through the work of the Ministry for Social Affairs and Labour and of civil society institutions, the Syrian Arab Republic is continuing its efforts to promote and protect the rights of all women and girls.
109.19, 109.63 to 106.65 and 109.67 to 109.77	The Government of the Syrian Arab Republic wishes to state that the way out of the current crisis will be through a political solution based on an inter-Syrian and Syrian-led dialogue, without external interference or prior conditions. The Government, which is currently combatting terrorism in order to achieve that political solution, wishes to make it clear that success in the political process and tangible improvements in the humanitarian situation will chiefly depend on a serious international and regional commitment to combatting terrorism in the Syrian Arab Republic, without any ulterior political motives. At the same time, the unilateral coercive economic measures imposed upon the Syrian people without any legal or moral justification must be lifted immediately. The successful outcome of the Astana Conference, held on 23 and 24 January 2017, was largely due to the constructive role played by the Syrian Government. The Government of the Syrian Arab Republic reiterates its request to the Security Council to compel those States that support and finance armed terrorist groups to stop doing so, in accordance with Security Council resolutions aimed at combating terrorism and cutting off sources of terrorism funding, in particular resolution 2170 (2014), 2178 (2014), 2199 (2015) and 2253 (2015). Compliance with and implementation of those resolutions is the key to resolving the situation in the Syrian Arab Republic and to ensuring hitherto unprecedented of humanitarian aid to those in need.
109.82	The Syrian Government often cooperates with special procedures. It is currently exchanging correspondence with the Working Group and is looking into procedures for receiving mandate holders on a case-by-case basis, depending upon prevailing circumstances.
109.90	As stated in paragraphs 39 and 40 of the national report, studies are currently under way on the amendment of the law in question to bring it into line with article 33 of the Constitution.
109.91 and 109.92	The Syrian Arab Republic realizes that loopholes in personal status law do exist, and it is seeking to address that issue through a legal review process involving official institutions and civil society organizations. The amendments are currently being introduced in a manner that does not conflict with Islamic sharia.

Subject	*State of implementation or acceptance*
109.16, 109.93 and 109.94	A bill on the rights of children has been drafted. Other provisions related to the protection of the rights of children are mentioned in the national report.
109.146 to 109.149, 109.154 and 109.189	The authorities in Syria are making efforts to ensure that persons implicated in such acts are brought to justice. It should be emphasized that this is a national issue in which regard reference should be made to paragraph 85 of the report of the Syrian Arabic Republic submitted under the second cycle of the universal periodic review.
109.152	In Syrian law, perpetrators of the crime of abduction are punished under Act 20 of 2013.
109.176	This matter has been addressed through amendments to relevant articles of the Criminal Code.
109.179	The rights of women are protected under the Constitution. Moreover, the Syrian Government believes that, by successfully combating terrorism, it will restore to Syrian women the rights they enjoyed over many decades. The national report of the Syrian Arab Republic, particularly paragraph 47, goes into some detail about the role women play in political life and their participation in the peace process and national reconciliation.
109.180 and 109.181	This matter will be addressed in a children's bill, which will also cover the issue of early and forced marriages in refugee camps in neighbouring States.
109.182	The Syrian Arab Republic is making immense efforts to provide free education and to find alternative solutions, in cooperation with international organizations, and to rebuild schools destroyed by terrorist activities.
109.183 to 109.187	Replies given in the national report.
Recommendations accepted and the implementation of which is ongoing	
109.1	The Syrian Arab Republic is a party to eight core human rights treaties.
109.15, 109.17 and 109.18	Violence in all forms, including domestic violence, is criminalized under the Criminal Code and penalized according to degree.
109.20	The Syrian Arab Republic abides by all ceasefire agreements, in order to promote the human rights of the Syrian people. Recently, the Syrian Government has abided by the agreement to end hostilities that came into force on 30 December 2016. However, armed terrorist groups have continued to violate that agreement with suicide attacks in a number of locations, including Damascus, and attacks against civilians in other cities and governorates using mortars and other weapons.
109.21 to 109.23	These recommendations should be addressed to the States and organizations that impose the measures against the Government and people of the Syrian Arab Republic. The response to recommendation 23, which concerns an assessment of the effects of unilateral coercive measures, must be divided into two parts: • Member States, particularly those responsible for the imposition of these illegitimate measures, must respect calls from the United Nations to put an immediate stop to such practices in view of their negative impact on standards of living, human rights and social development in the countries affected. • The countries affected must set up national mechanisms to monitor and report on the effects such measures have on human rights and development.

Subject	*State of implementation or acceptance*
	An international mechanism needs to be created to monitor this serious issue and its effects, and to rally international support to prevent certain States from imposing such measures against other States in a manner that violates international law and resolutions and the Charter of the United Nations.
109.24 and 109.25	
109.26	This is being put into effect.
109.31 and 109.32	Please see paragraphs 80 to 82 of the national report concerning the ceasefire in Aleppo: The Syrian Government has, in coordination with its allies, taken a series of measures that are consistent with international humanitarian law to address the humanitarian situation in the governorate of Aleppo. It has sought to ensure the safe evacuation of civilizations from neighbourhoods in eastern Aleppo and has called upon the armed terrorist groups to depose their weapons or to withdraw in order to avoid harming civilians and causing damage to public and private property. To that end, certain crossing points have been designated, facilities provided and guarantees given. However, the terrorist groups have openly used civilians as human shields, prevented them from leaving and used small-arms and rocket fire against anyone who sought to depart for areas controlled by the Government. While ignoring the demands and needs of the people, the armed terrorist groups have continued to target neighbourhoods in the west of the city causing thousands of deaths and injuries. This has left the Syrian Government with no choice but to free its people, regain its territory, stand up to terrorism, liberate its citizens in the eastern neighbourhoods of Aleppo and drive the terrorists out.
109.33, 109.34 and 109.36	
109.35, 109.66 and 109.78	
109.37	The Government of the Syrian Arab Republic welcomed a delegation from the internal United Nations board of inquiry into the attack against a humanitarian aid convoy at Auram al-Kubra on 19 September 2016. The Government provided the clarifications and explanations requested and submitted evidence regarding the terrorist attack against the convoy. However, the board of inquiry used its report to make a number of untrue allegations and false accusations, which are completely without foundation. It then drew its conclusions on the basis of those allegations and suppositions, even appointing itself to defend certain parties and to uphold their innocence of any involvement in the attack, which is beyond the mandate of the board of inquiry.
109.101 and 109.103	The Government of the Syrian Arab Republic is assuming its responsibility to protect its citizens although it has reservations about the description of the situation in the country as an armed conflict.
109.84, 109.120 and 109.190	
109.191 to 109.194	The response to these recommendations, which have already been implemented, is to be found in the national report. Two action plans have been put in place to combat beggary. Centres for child beggars have been set up at the governorate level. With help from civil society organizations, the centres focus on combating the phenomenon of begging through rehabilitation and employment. A team of volunteers has been set up to help report cases and provide care (including education and professional training) as a step towards improving the living standards of families that encourage their children to beg. This is one of the programmes in place to combat the worst forms of child labour.

Subject	*State of implementation or acceptance*
	Cooperation between the Government, represented by the Ministry for Social Affairs and Labour, and the International Labour Organization is to be relaunched and the two sides are currently drafting agreements on a programme to address the worst forms of child labour, including beggary.
109.79	
109.86 to 109.89	These recommendations have been implemented and examples given in the national report.
109.85	
109.100, 109.104, 109.117, 109.121 and 109.195	Within the context of its efforts to combat terrorism, and in addition the information on this subject provided in the national report, the Syrian Government reiterates its full commitment to international law, particularly as regards the protection and security of civilians and the integrity of public utilities such as hospitals and schools.
109.174 and 109.175	Information regarding places of detention and detainees, including their legal status and the charges against them, is being reported by the authorities concerned.
109.196 to 109.198	These recommendations have been implemented and details are to be found in the national report.
109.199 to 109.201	
109.202	A programme is in place for the rehabil:tation of victims of terrorism.
109.203	Syrian law, including the Anti-Terrorism Act, guarantees the principle of public hearings, the right of appeal and the right to a fair trial.
109.119	The Syrian Government has, without discrimination, facilitated numerous medical evacuations and has offered humanitarian assistance to towns and cities. At the same time, armed terrorist groups, and in particular those besieging the towns of Kafraya and Fuah, have been hindering the delivery of humanitarian aid and medical evacuations.
109.171	Medical care is given to all persons in detention facilities, without discrimination. Under Prison Regulations No. 1222, all prisons and places of detention must give detainees a medical examination and provide them with medical care during their period of detention.
109.38 to 109.40, 109.123, 109.124, 109.126 to 109.138, 109.140 to 109.145 and 109.150	The Government of the Syrian Arab Republic has cooperated closely with the United Nations and with international organizations in the humanitarian response to the needs of the Syrian people in the current situation. It has provided all possible facilities for humanitarian operations as well as the greatest part of the funding (75 per cent), and it has supplied documented information about the obstacles hindering that response. The success of the United Nations and international organizations in delivering humanitarian aid to both stable and unstable regions of the country would not have been possible without the cooperation and assistance of the Syrian Government. At this point it should be emphasized that the policies followed by the United Nations have to be consistent with the Charter of the United Nations and with international law. They also have to respect the guiding principles on humanitarian work in emergency situations as set forth in General Assembly resolution 46/182, especially respect for national sovereignty and the role of the State in overseeing the distribution of humanitarian aid within its own territory, as well as neutrality, impartiality and non-politicization. These are all principles with which a number of international organizations have failed to comply. The biggest obstacle facing the delivery of humanitarian aid remains that of armed terrorist groups. They have prevented aid

Subject	*State of implementation or acceptance*
	from reaching people in need by imposing long blockades on certain areas, refusing to allow supplies to pass, systematically looting humanitarian aid convoys, blocking roads, targeting civilian airports and attacking aid workers including medical personnel.
109.162 and 109.166	
109.177 and 109.178	
109.188	

The following recommendations have been accepted and effectively implemented, although with reservations about the politicized nature of the wording and the aggressive, accusatory and provocative language in which they were expressed. In its war against terrorism, the Government of the Syrian Arab Republic is careful to abide by all treaties and resolutions, including international anti-terrorism treaties. It also has reservations about the description of the situation in the Syrian Arab Republic as a civil war when, in fact, it is a crisis and a war against terrorism.

109.95, 109.97 to 109.99, 109.105, 109.107, 109.108, 109.110 to 109.116 and 109.118	The Syrian Government would like to underscore the fact that the enormous efforts which, with the support of its allies, it has made to combat terrorism are in fact the main reason that security and stability have been restored to many areas and to millions of Syrians. Those efforts have also helped thousands of displaced persons to return to their villages and towns and have facilitated the delivery of humanitarian aid to those in need. Within the context of its efforts to combat terrorism, the Syrian Government reiterates its full commitment to international law, particularly as regards the protection and security of civilians and the integrity of public utilities such as hospitals and schools. The Syrian Government is more concerned than anyone else to protect its own people, and any targeting of infrastructure is to be attributed to the activities of the international alliance, which is being led by the United States of America with the help of the very countries making the recommendations. As regards the situation in Aleppo, see above for the response to recommendations 109.31 and 109.32. Accusations regarding the use of chemical weapons are merely a pretext that has been used by certain countries since the beginning of the crisis to bring political pressure to bear on the Syrian Government. In fact, as part of its desire to work towards ridding the Middle East of all weapons of mass destruction, the Government of the Syrian Arab Republic has ratified the Chemical Weapons Convention and implemented its obligations thereunder.
109.96	Military operations in Aleppo have ceased.
109.102 and 109.106	
109.122	
109.125	
109.139	The Government of the Syrian Arab Republic has reservations about the word "siege".
109.173	
109.167 to 109.169	A number of amnesty decrees have been issued, details of which are to be found in the national report. Moreover, a decree was issued recently — Decree No. 11 of 2017 — extending the amnesty for armed individuals who surrender themselves and their weapons to the authorities.

Subject	*State of implementation or acceptance*

The following recommendations have been rejected, despite the fact that they have been implemented, because we reject the extremely aggressive language in which they are expressed and because they are founded on incorrect suppositions.

109.109, 109.153, 109.155 to 109.161 and 109.163 to 109.165

The following recommendations have been rejected because they concern public order within the State.

109.2 and 109.151

The following recommendations have been rejected because they concern the issue of sovereignty.

109.10 to 109.13	The Syrian Arab Republic, believing as it does in the importance of establishing a credible mechanism of international justice, signed the Rome Statute of the International Criminal Court in 2000. Unfortunately, events have shown that some countries use the Court as a mechanism to politicize international justice in pursuit of the agendas of certain States and entirely overlook the jurisdiction of national courts. The provisions of the International Convention for the Protection of All Persons from Enforced Disappearance are applied although the ratification of the Convention is not currently considered a priority, also in view of the fact that a large proportion of States parties do not agree on a number of its provisions.
109.80 and 109.81	In view of the politicization of the current situation in the Syrian Arab Republic, the Government would prefer to consider invitations to mandate holders on a case-by-case basis.
109.83	
109.170 and 109.172	These operations are carried out by the police and the judiciary of the Syrian Arab Republic.

Recommendations 109.41 to 109.62 have been rejected as they concern cooperation with the Human Rights Council's Independent International Commission of Inquiry on the Syrian Arab Republic. Nonetheless, it should be emphasized that this does not prevent the Syrian Arab Republic from cooperating with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and with special procedures mandate holders, as it always has.

The Syrian Arab Republic had expressed its readiness to cooperate with the Independent International Commission of Inquiry immediately after it was established in 2011, once the national investigative commission had completed its own inquiries and on condition that the International Commission remained neutral and objective and did not draw information from terrorist sources. Unfortunately, however, since it was established, the Independent International Commission of Inquiry on the Syrian Arab Republic has chosen to adopt a partial, selective and politicized approach to events in the country. Such an approach does nothing for human rights but does serve the agendas and policies of certain influential States on the Human Rights Council and the Security Council, which aim to undermine the sovereignty, independence and territorial integrity of the Syrian Arab Republic. For that reason, the Syrian Government has formed a negative opinion of the work of the International Commission and, due to its lack of credibility, has decided not to cooperate with it. Nonetheless, the Syrian Arab Republic did allow the president of the International Commission, Mr. Paulo Pinheiro, to make a visit for a few days. However, that has not had any discernible effect on the work of the Commission, and the latter has rejected other proposals to resolve this problem.

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Report of the Working Group on the Universal Periodic Review*

Bolivarian Republic of Venezuela

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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133.227, 133.228, 133.229, 133.230, 133.231, 133.233, 133.234, 133.236, 133.237, 133.239, 133.240, 133.241, 133.242, 133.244, 133.245, 133.246, 133.248, 133.249, 133.250, 133.251, 133.252, 133.253, 133.254, 133.255, 133.256, 133.258, 133.259, 133.260, 133.261, 133.263, 133.264, 133.265, 133.266, 133.267, 133.268, 133.269, 133.270, 133.271, 133.272, 133.273 and 133.274

6. The Government has accepted the large number of recommendations enumerated above because they are already being implemented as a matter of priority through public policies stemming from the first National Human Rights Plan 2016-2019, subject to the monitoring and assessment of the National Council for Human Rights.

III. Recommendations accepted by the State because they will be implemented

Recommendations: 133.247, 133.257 and 133.262

IV. Recommendations noted by the State

Recommendations:

133.1, 133.3, 133.4, 133.5, 133.6, 133.9, 133.11, 133.13, 133.14, 133.15, 133.16, 133.20, 133.59, 133.81, 133.82, 133.83, 133.84, 133.88, 133.112, 133.113, 133.136, 133.137, 133.183, 133.198, 133.232, 133.235, 133.238 and 133.243

7. Venezuela takes note of the recommendations listed above and has the following comments:

- The process of ratifying an international treaty is undertaken by the State of Venezuela with the utmost rigour and seriousness. An international treaty must, under the Constitution, be in accordance with State sovereignty and the interests of the Venezuelan people. In order to ratify a treaty, there must be enough time to conduct a comparative analysis of its provisions, a broad consultation process with the relevant institutions, and a thorough examination of the legal order and an analysis of the policies and programmes in force, with a view to ensuring that the international obligations under consideration are compatible with domestic law and the country's social, cultural, economic and political circumstances.

- Venezuela, as a member of the Human Rights Council, has and will continue to collaborate closely with the United Nations human rights bodies, in particular the Council and its mechanisms. This applies equally to the Office of the United Nations High Commissioner for Human Rights, where relevant. This collaboration is clear from the considerable amount of information that the State consistently provides to all the bodies and mechanisms of the universal human rights system. In this respect, Venezuela sovereignly and carefully assesses all requests to visit the country on the basis of the principles of objectivity, transparency, non-politicization, non-selectivity and equal treatment.

- Venezuela is taking all necessary measures to offset the falling price of its main export, oil, in the face of the cruel, unconventional economic war being waged by the de facto political and economic leaders of the sectors that make up certain national and international elites.

- Therefore, some of the recommendations concerning the right to health and food can be misleading on account of their marked political and negative bias and are not, in our opinion, intended to be constructive suggestions. This exacerbates the adverse effects of the endless economic war and the constant harassment and threats against a progressive portion of the country being carried out in the economic, trade and financial spheres, thereby hindering the population's enjoyment of its human rights.

V. Recommendations not accepted by the State

Recommendations:

133.18, 133.26, 133.27, 133.39, 133.40, 133.78, 133.79, 133.80, 133.85, 133.86, 133.87, 133.89, 133.90, 133.91, 133.92, 133.93, 133.94, 133.95, 133.96, 133.98, 133.99, 133.100, 133.115, 133.122, 133.125, 133.131, 133.132, 133.134, 133.135, 133.138, 133.149, 133.150, 133.157, 133.160, 133.161, 133.162, 133.163, 133.165, 133.176, 133.179, 133.180, 133.184, 133.188, 133.191, 133.192, 133.196, 133.200, 133.203, 133.204, 133.205, 133.206, 133.215 and 133.217.

8. Venezuela, by conviction and in keeping with its deep democratic values, continually and responsibly fosters and strengthens constructive dialogue with national actors who oppose both the national Government and the revolutionary political process, which enjoy broad popular support. Therefore, it should be noted that, due to their wording, a few of the recommendations cannot be considered as such and were not accepted because they misrepresent the facts, have no connection with reality or are false. Nevertheless, regarding the rights and guarantees referred to in some of these recommendations, it should be emphasized that the guiding principle of the Bolivarian constitutional process is the effective and universal guarantee of the fullest possible enjoyment of all human rights, such as political participation or freedom of expression and information, including those of vulnerable groups.

9. The biases and false assumptions implied in these so-called recommendations are confusing or stem from ill faith and work against the very purpose of the valuable universal periodic review process and are contrary to the vital importance of ensuring a broader and more progressive protection of human rights as the raison d'être of the Constitution and the Republic. It must be emphasized that the most universal enjoyment possible of human rights and freedoms is guaranteed for all inhabitants of Venezuela. In this connection, the country's focus on reaffirming the effectiveness of women's rights should be noted, along with the special protection afforded to the paramount rights of children and adolescents, the rights of persons with disabilities and those of indigenous peoples, Afrodescendants and other ethnic groups. In Venezuela, any restriction of the free exercise of rights consubstantial with our democratic life is prohibited. Such is the case for freedom of expression and the right to information, which cannot be restricted, even under a state of emergency, and for the freedom of peaceful assembly in keeping with the Constitution and the law. Civil organizations also exercise their rights freely without any limitations other than those established in the Constitution and the law.

10. The Constitution and enforcement thereof guarantee the full independence and autonomy of each of the five branches of government, in keeping with the constitutional mandate to achieve the goals of the State while fostering broad public participation.

11. Regarding some of the recommendations that Venezuela has not accepted, it should be made very clear that, as a matter of public knowledge, Venezuela has safeguarded the right to initiate and carry out the necessary electoral procedures to hold a recall referendum, including the prior step of gathering expressions of interest from the public, in keeping with constitutional and legal requirements. Thus, the wording of these recommendations is misleading because it indicates or insinuates that the State has denied this right, which is untrue.

VI. Voluntary commitments

12. The Bolivarian Republic of Venezuela has undertaken the following commitments:

(a) Implement a new prison regime in all prison facilities with a view to achieving the social reintegration of persons deprived of their liberty through methods based on the principles of equality and social justice;

(b) Establish a specialized body to provide assistance to victims of violence;

(c) Strengthen the implementation of comprehensive public safety policies, such as the "A Toda Vida Venezuela" Great Mission, with a focus on prevention and multi-agency crime control, peaceful coexistence and the comprehensive development of individuals and communities;

(d) Deepen policies on comprehensive human rights training for police officers and members of the armed forces;

(e) Continue to hold public competitions for entry into the judiciary and the Public Prosecution Service in keeping with the Constitution;

(f) Open the Human Rights Congress as an annual forum for dialogue and the coordination of relevant public policy with human rights organizations and movements;

(g) Establish a permanent mechanism to follow up on the implementation of the recommendations made to Venezuela by the Human Rights Council and United Nations treaty bodies;

(h) Continue to put into practice the National Human Rights Plan 2016-2019 and assess its implementation and impact in 2019, taking into consideration the contribution of social organizations and movements and the United Nations system;

(i) Complete the construction of the National Monitoring and Follow-Up System through the development of human rights indicators in order to enforce and assess all relevant public policies;

(j) Design and implement an action plan on corporations and human rights;

(k) Strengthen cooperation with the Human Rights Council and other United Nations bodies by increasing the number of initiatives proposed by Venezuela in these forums;

(l) Stimulate sustainable economic growth by increasing productivity and technological innovation with a view to changing the rent-based economic model that has characterized the past 100 years;

(m) Step up measures to address and overcome early pregnancy;

(n) Increase the comprehensive health care provided to pregnant women as a national priority through the assessment and implementation of pre-, ante- and postnatal care programmes designed to eradicate maternal mortality;

(o) Consolidate the political participation and empowerment of social and human rights organizations and movements in state government forums, and further strengthen the People's Government Presidential Councils;

(p) Intensify efforts in the area of food, in particular by facilitating access to basic foodstuffs for the entire population, by strengthening public food distribution networks through agricultural planning and by ensuring food security and sovereignty;

(q) Promote the new national university admission system and guarantee fair and equal access;

(r) Increase student benefits, award more scholarships to undergraduate and graduate students to ensure the training of professionals in areas of national strategic interest, provide entirely free health care for students and build or refurbish student housing;

(s) Adopt legal instruments and specialized mechanisms to ensure equality and non-discrimination on grounds of sexual orientation, gender identity and gender expression;

(t) Increase the number of justice units working on gender-related cases in order to expedite assistance to women and prevent re-victimization;

(u) Continue to promote gender parity in alternating elected office, as well as gender balance in managerial posts and all decision-making entities;

(v) Design and implement a national plan on trafficking in persons;

(w) Take the necessary steps to accede to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled;

(x) Continue to carry out and promote efforts to upgrade the Simón Bolívar Braille printing house with a view to ensuring that material on various subjects is produced for visually impaired persons.

VII. Conclusion

13. In the present addendum, Venezuela indicates its acceptance of 193 recommendations on the assumption that they have been, are being or will be implemented. It has taken note of 28 recommendations already discussed. However, 53 recommendations did not meet with the support of the State because they are biased, confusing, politically ill-intentioned, based on false pretences or contrary to the spirit of cooperation and respect that should prevail in the universal periodic review.

14. Venezuela has undertaken 24 voluntary commitments, illustrating the country's firm decision to promote, guarantee, uphold, realize and respect human rights. A total of 217 recommendations and commitments will need to be reviewed by the Human Rights Council during the third cycle of the universal periodic review in October 2021.

15. Lastly, Venezuela reiterates its traditional pledge to continue to cooperate with United Nations human rights bodies, especially the Human Rights Council and related mechanisms, such as the universal periodic review, and to pursue its efforts to keep open a frank, positive, constructive and genuine two-way dialogue on the broad topic of human rights based on respect for the sovereignty of all States, the self-determination of peoples and the right to live in peace in order to fully realize human rights.

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Report of the Working Group on the Universal Periodic Review*

Iceland

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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1. The Icelandic Government takes due note of the recommendations made in its second review during the 26th session of the Working Group on the Universal Periodic Review ('UPR'), held on 1 November 2016.

2. In accordance with paragraphs 27 and 32 of the annex to the Human Rights Council resolution 5/1 and paragraph 16 of the annex to General Assembly resolution 65/281, Iceland provides information in this addendum regarding its position on the recommendations made to it, specifically those in the section on 'recommendations will be examined' in paragraph 117 of the Report of the Working Group on the UPR (see document A/HRC/34/7, paragraphs 117.1 to 117.41).

3. On 4 November 2016, Iceland announced to the Working Group during the adoption of the Draft Report, the endorsement of 112 of the 167 recommendations made. Iceland also stated that 8 of the 112 endorsed recommendations were already implemented or in the process of implementation.

4. Lastly, Iceland stated that a reply would be provided at a later stage with regards to 41 of the recommendations that were left pending, as it was necessary to either consult with the relevant independent institutions, or refer them to the relevant government agencies for their input and advice.

5. Iceland has developed a response to these recommendations. However, in the light of the fact that there was limited time for full consideration across all levels of government, some recommendations have been noted for further consideration, as described below.

6. This addendum provides Iceland's position/responses to the 41 recommendations that were left pending. For the purposes of clarity, the recommendations are listed in the order in which they appear in the Report (A/HRC/34/7, paragraphs 117.1 to 117.41).

	Iceland's response	*Comments*
117.1[1]	Noted	However, the Icelandic authorities will examine whether to ratify these optional protocols.
117.2[2]		
117.3[3]		
117.4[4]		
117.5[5]		
117.6[6]		
117.7[7]		
117.8[8]	Noted	However, the Icelandic authorities have accepted to ratify the CPPED and they will examine whether to recognize the competence of the Committee.
117.9[9]	Noted	The content and the obligations of the convention were studied by the National Icelandic ILO committee and compared with Icelandic legislation and collective agreements. At the end of this work it turned out that the representatives of the main organizations of the social partners could not agree on a proposal to move towards a ratification of the instrument.
117.10[10]	Accepted	

117.11[11]	Noted	However, the Icelandic authorities have accepted to ratify the OPCAT and the CPPED and the CRPD has already been ratified. Moreover, the authorities will examine whether to ratify the Optional Protocols to the CRPD and the CESCR.
117.12[12]	Accepted	
117.13[13]	Noted	However, the Icelandic authorities will examine whether to withdraw its reservations, see also the response to rec. 117.12.
117.14[14]	Noted	However, the Icelandic Government has agreed to continue the constitutional reform in good cooperation between all political parties which will be based on the previous work.
117.15[15]	Accepted	
117.16[16]	Noted	The exact mandate of such an institution is under consideration.
117.17[17]		
117.18[18]	Accepted	The national action plan will be reviewed and updated and subsequently submitted anew to the Parliament.
117.19[19]		
117.20[20]	Accepted	Iceland is committed to achieving 0.7% ODA/GNI, and this commitment has been accompanied by an increase in official development assistance (ODA), both in terms of volume and as a share of GNI since 2012. In 2016, Iceland's ODA amounted to 5,7 billion ISK, or 0.25% of GNI.
117.21[21]	Accepted	
117.22[22]	Accepted	
117.23[23]	Accepted	
117.24[24]	Accepted	
117.25[25]	Noted	However, the Icelandic authorities will examine in which ways to strengthen the fight against racism and discrimination.
117.26[26]	Accepted	The Icelandic authorities will continue the fight against racism, xenophobia and all forms of discrimination by all means available.
117.27[27]	Noted	However, Iceland does accept to complete the work on an anti-discrimination bill. Moreover, victims are allowed to institute criminal proceedings on hate speech in fair trials and due process.
117.28[28]	Accepted	

117.29[29]	Noted	However, it should be noted that hate media speech which creates incitement to hatred and xenophobia is already criminalized in the Media Act and the Icelandic authorities will continue to fight against hate speech and xenophobia.
117.30[30]	Accepted	
117.31[31]	Accepted	
117.32[32]	Accepted	Icelandic legislation and policies promote and protect different kinds of families, including single-parent families and same-sex couples.
117.33[33]	Accepted	The Icelandic authorities will continue the fight against discriminatory practices in the labour market by all means available.
117.34[34]	Accepted	
117.35[35]	Accepted	
117.36[36]	Accepted	
117.37[37]	Accepted	The Icelandic authorities will continue the fight against sexual abuse and trafficking of children by all means available.
117.38[38]	Noted	According to Icelandic law no treatment may be given without the consent of the patient. If the patient is incapable of making a decision, the Act on Legal Competence applies.
117.39[39]	Noted	However, the Icelandic authorities are currently reviewing its legislation with the view to further implement the CRPD, including to review the conditions for involuntary hospitalization and coercive health care.
117.40[40]	Accepted	
117.41[41]	Noted	However, the Icelandic authorities will examine the issue thoroughly and subsequently decide whether to decriminalize defamation.

Notes

[1] Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Finland); Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

[2] Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro); Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);

[3] Widen the scope of international obligations through ratification of international treaties such as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Albania);

[4] Ratify as soon as possible the Third Optional Protocol to the Convention on the Rights of the Child

(Germany);

5 **Ratify and effectively implement the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Czechia);**

6 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Spain);**

7 **Conclude its own procedures to ratify the Optional Protocol to the Convention on the Rights of Person with Disabilities (Italy);**

8 **Ratify the UN Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other States parties (Germany);**

9 **Accelerate the process towards the ratification of the ILO Convention 189 (Philippines);**

10 **Ratify the Convention against Discrimination in Education (Iraq);**

11 **Proceed with the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and its Optional Protocol, the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the Covenant on Economic, Social and Cultural Rights (Ecuador);**

12 **Reassess the reasons behind the reservations made to the International Covenant on Civil and Political Rights, with the aim of withdrawing them (Panama);**

13 **Withdraw its reservations to the International Covenant on Civil and Political Rights (Sierra Leone);**

14 **Following the parliamentary elections held on 29 October 2016, implement the constitutional reforms approved by the people of Iceland at the 2012 referendum (Haiti);**

15 **Undertake measures to ensure that domestic courts are put in a position to apply the principles stemming from the European Convention on Human Rights (Denmark);**

16 **Establish a national human rights institution with a broad mandate and adequate resources, in line with the Paris Principles, including specific mandates to ensure social, economic and cultural rights, and especially the rights of women (Albania);**

17 **Establish a national human rights institution with a broad mandate and sufficient resources, in accordance with the Paris Principles, which includes concrete mandates regarding the rights of women and social, economic and cultural rights (Guatemala);**

18 **Accelerate the adoption of the national action plan on human rights which was presented to the Icelandic Parliament (Iraq);**

19 **Adopt the proposed national action plan for human rights (Pakistan);**

20 **Meet its ODA target of 0.7 per cent of its GNP (Bangladesh);**

21 **Launch the process to design and implement the National Action Plan on business and human rights in accordance with the United Nations Guiding Principles on Business and Human Rights (Colombia);**

22 **Ensure that policies, legislation, regulations and enforcement measures effectively serve to prevent and address the heightened risk of business involvement in abuses in conflict situations, which includes situations of foreign occupation (State of Palestine);**

23 **Improve financial supervisory mechanisms to ensure better control and transparency in order to combat corruption and tax evasion (Norway);**

24 **Consider introducing anti-discriminatory legislation and establish a specialized body to combat racism and discrimination, which could form part of a body with wider objectives in the field of human rights generally (Namibia);**

25 **Establish a special body to combat racism and discrimination based on race, ethnicity, nationality, language and religion (Russian Federation);**

26 **Eradicate racism, xenophobia and all forms of discrimination against foreigners (Venezuela (Bolivarian Republic of));**

27 **Complete the work on an anti-discrimination bill, and establish a specialized body to combat racism and discrimination and allowing victims to institute criminal proceedings on hate speech in fair trials and due process (Egypt);**

28 **Revise or make amendments to existing legislation and adopt all other necessary measures in order to fight all forms of incitement and agitation to hatred and violence (Sweden);**

29 **Issue a bill that criminalizes defamation of religious prophets and symbols as well as criminalizes hate media speech which creates incitement to hatred and xenophobia (Libya);**

[30] Revise its social benefits programmes for assisting vulnerable families (Bangladesh);
[31] Take further steps to increase the budget for public education and continue to improve school facilities for children (State of Palestine);
[32] Provide protection for the family as the natural and fundamental unit of society (Egypt);
[33] Eradicate discriminatory practices in the labour market that detrimentally affect women (Venezuela (Bolivarian Republic of));
[34] Ensure that victims of domestic, gender-based and sexual violence are able to report incidents and press charges without fear of adverse consequences in case of losing in court (United States of America);
[35] Ensure that minors are separated from adults in places of detention (Russian Federation);
[36] Guarantee adequate legal protection and rehabilitation of victims of sexual violence (Russian Federation);
[37] Eradicate the crimes of sexual abuse and trafficking in children (Venezuela (Bolivarian Republic of));
[38] Annul the provision of medical treatment without consent as laid down in Icelandic law (Spain);
[39] Take additional measures to fully protect the human rights of all persons with disabilities, including to preclude involuntary hospitalization and coercive health-care approaches, to prioritize free and fully informed consent for medical treatment and to promote the involvement of persons with disabilities in decision-making related to their well-being (Canada);
[40] Review its legislation to ensure that it fully complies with the International Covenant on Civil and Political Rights and international standards on refugees and asylum seekers (Iran (Islamic Republic of));
[41] Decriminalize defamation within its civil code in accordance with international standards (Ghana).

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Report of the Working Group on the Universal Periodic Review*

Zimbabwe

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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Introduction

1. The Republic of Zimbabwe presented its Report under the Universal Periodic Review during the twenty-sixth session of the Working Group of the Human Rights Council. During the Review, Zimbabwe received two hundred and sixty (260) recommendations, of which one hundred and forty-two (142) were supported during the session, eighteen (18) were noted and one hundred (100) were deferred, as they required further consideration at the national level.

2. Zimbabwe considered the hundred deferred recommendations and fourteen (14) are supported. The supported recommendations are based on Zimbabwe's capacity to implement these within the next UPR cycle. Zimbabwe has accepted mostly recommendations that are in the process of being implemented in accordance with our developmental programmes.

3. Eighty-six (86) of the deferred recommendations do not enjoy the support of Zimbabwe and have thus been noted. The noted recommendations are those that Zimbabwe is unable to commit to implementation immediately or those that are inconsistent with national policies.

4. Below is an explanation of Zimbabwe's final position on the deferred recommendations. The recommendations have been grouped according to thematic issues.

I. Ratification of international human rights instruments

Ratification of the United Nations Convention Against Torture and Other Cruel or Inhuman and Degrading Punishment and its optional Protocol (CAT/OPCAT)[1] and other conventions and international human rights treaties that Zimbabwe is not party to

5. Noted. Does not enjoy the support of the State.

6. For purposes of clarity recommendations **132.1** and **132.2** are wholly noted.

Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and their Families[2]

7. Noted. Does not enjoy the support of the State.

Ratification of the International Convention for the Protection of All Persons from Enforced Disappearances[3]

8. Noted. Does not enjoy the support of the State.

Ratification of the Optional Protocol of the Convention on the Elimination of all Forms of Discrimination against Women[4]

9. Noted. Does not enjoy the support of the State.

Ratification of the First and Second Optional Protocols to the International Covenant on Civil and Political Rights[5]

10. Noted. Does not enjoy the support of the State.

Ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights[6]

11. Noted. Does not enjoy the support of the State.

Ratification of the Optional Protocol 3 to the UN Convention on the Rights of the Child[7]

12. Noted. Does not enjoy the support of Zimbabwe.

Ratification of ILO Convention 189[8]

13. Noted. The matter is still under consideration.

Recommendation 132.33

14. Noted. Does not enjoy the support of the State.

II. Adoption of an immediate moratorium on the death penalty[9]

15. Noted. The matter is receiving attention by the Government.

III. Enactment of national legislation abolishing the death penalty for all crimes

16. Noted. The matter is receiving attention by the Government.

IV. Freedom of expression and freedom of the media[10]

17. Zimbabwe supports in part recommendation **132.62.** The Government is currently reviewing all laws in order to align them to the Constitution and this includes the Access to Information and Protection of Privacy Act and the Public Order and Security Act. However, no commitment can be made towards the repeal of the above mentioned Acts and the recommendation is not supported in that respect.

18. Recommendation **132.93** enjoys the support of Zimbabwe. The recommendation was for Zimbabwe to make efforts to promote free and unbiased local media, including by removing restrictions on local radio broadcasts.

19. Recommendation **132.66** is noted.

20. Recommendation **132.92** is noted. Does not enjoy the support of the State.

V. Recommendation to review and update the Private Voluntary Organisations Act[11]

21. Noted. The Act has already been reviewed and updated in line with International standards.

VI. Recommendation to repeal and amend the Public Order and Security Act[12]

22. Noted. Does not enjoy the support of Zimbabwe.

23. The Public Order and Security Act is compliant with the Constitution of Zimbabwe and this has been recently confirmed by the High Court of Zimbabwe.

VII. Recommendation to repeal the ban on public demonstrations[13]

24. Noted. The law allows for peaceful demonstrations in Zimbabwe subject to permissible restrictions in terms of the Constitution.

VIII. Family, marriage and divorce laws[14]

25. Noted. Does not enjoy the support of Zimbabwe.

IX. Independence of the Zimbabwe Human Rights Commission[15]

26. These recommendations are supported in part by the State. The Zimbabwe Human Rights Commission is independent and enjoys financial autonomy. Zimbabwe does not fully appreciate the aspect of the recommendations concerning immunity and as such those aspects of the recommendations cannot be supported.

X. Humanitarian agencies[16]

27. Noted. Does not enjoy the support of Zimbabwe on the basis that the law guarantees the agencies freedom to operate freely provided that they operate within the confines of the law.

XI. Standing invitation to special procedures and their requests to visit Zimbabwe[17]

28. Both parts are noted. Do not enjoy the support of the State.

29. Zimbabwe will consider inviting them and any request on a case by case basis.

XII. Birth registration[18]

30. Enjoys the support of the State.

XIII. Child care[19]

31. The recommendation is accepted in part. Zimbabwe is already pursuing efforts to ensure that all children are progressively afforded free quality health care. Zimbabwe is also progressively implementing various child protection programmes in line with international obligations as enshrined in the United Nations Convention on the Rights of

the Child. Zimbabwe is however unable to support the part of the recommendation concerning corporal punishment as this matter is still pending before the Constitutional Court.

XIV. State justice accountability systems[20]

32. Enjoys the support of the State

XV. Civil society organisations[21]

33. Recommendation **132.94** enjoys the support of the State. All members of the Zimbabwean society are afforded equal protection by the law. No individual is above the law.

34. Recommendation **132.96** enjoys partial support of the State. Zimbabwe is committed to providing a safe and enabling environment for civil society. The aspect of the recommendation concerning a visit by the Special Rapporteur on the situation of Human Rights Defenders is noted.

XVI. Recommendation 132.95[22]

35. Noted. Does not enjoy the support of the State.

XVII. Freedom of assembly and association[23]

36. Enjoy the support of the State.

XVIII. Human rights defenders[24]

37. Recommendation **132.99** enjoys the support of the State. The national laws provide adequate protection for all members of society including human rights defenders.

XIX. Enactment of specific legislation to protect human rights defenders[25]

38. Does not enjoy the support of the State on the basis that Zimbabwe already has laws that provide adequate protection, hence there is no need to enact new laws.

Notes

[1] Recommendations 132.1; 132.2; 132.3; 132.4; 132.5; 132.6; 132.7; 132.8; 132.9; 132.10; 132.11; 132.12; 132.13; 132.14; 132.15; 132.16; 132.17; 132.18; 132.19; 132.20; 132.21; 132.22; 132.23; 132.24;132.27; 132.31; 132.33; 132.34; 132.38; 132.42; 132.45; 132.48; 132.51; 132.52.

[2] Recommendations 132.2; 132.3; 132.25; 132.35; 132.40; 132.43; 132.57.

[3] Recommendations 132.1; 132.30; 132.32; 132.36, 132.37; 132.41;132.53; 132.54; 132.55; 132.56.

[4] Recommendations 132.26; 132.59; 132.60; 132.61.

[5] Recommendations 132.28; 132.33; 132.44; 132.47; 132.48; 132.49; 132.50; 132.82; 132.83; 132.84; 132.85; 132.86; 132.87.

[6] Recommendations 132.29; 132.46.
[7] Recommendation 132.33.
[8] Recommendation132.58.
[9] Recommendations 132.82; 132.83; 132.84; 132.85; 132.86; 132.87; 132.88.
[10] Recommendations 132.62; 132.64; 132.92; 132.93.
[11] Recommendation 132.63.
[12] Recommendations 132.63; 132.64; 132.66; 132.90; 132.91.
[13] Recommendation 132.95.
[14] Recommendation 132.65.
[15] Recommendations 132.67; 132.68.
[16] Recommendation 132.69.
[17] Recommendations 132.39; 132.70; 132.71; 132.72; 132.73; 132.74; 132.75; 132.76; 132.77.
[18] Recommendations 132.78; 132.79; 132.80.
[19] Recommendation 132.81.
[20] Recommendation 132.89.
[21] Recommendations 132.94; 132.96.
[22] Recommendation 132.95.
[23] Recommendations 132.97; 132.98.
[24] Recommendation 132.99.
[25] Recommendation 132.100.

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Report of the Working Group on the Universal Periodic Review*

Lithuania

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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1. Lithuania welcomes the interactive dialogue held in November 2016, during the second cycle of the universal periodic review carried out by the United Nations Human Rights Council as well as the recommendations presented. Lithuania received the total of 172 recommendations. Lithuania rejected one recommendation outright. Concerning other recommendations, Lithuania undertook the commitment to present its position on these recommendations before the start of the 34th session of the United Nations Human Rights Council in March 2017.

2. In this document, Lithuania sets out its position on the recommendations contained in paragraph 100 of the Report of the Working Group of the United Nations Human Rights Council and kindly requests that these responses be included, as an annex, in the Report of the Working Group of the United Nations Human Rights Council.

3. Lithuania **supports** the following recommendations: 9, 10, 15–20, 23–57, 59–86, 88, 90–142, 144–171.

4. Lithuania **notes** the following recommendations without expressing support for them (hereinafter – "does not support").

5. Lithuania **does not support** recommendations 1–5 concerning accession to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. According to Lithuanian national law, European Union law as well as the United Nations human rights legal acts legally binding Lithuania, migrant workers and their families are granted certain rights, however the expansion of these rights as required by the said Convention is not envisaged at present, especially as regards the application of the unconditional equal treatment principle in areas such as education, provision of accommodation, social services and health care services. Currently, Lithuania is not able to undertake such extensive commitments.

6. Lithuania **does not support** recommendations 6 and 11 as regards joining the International Labour Organization Convention on Domestic Workers No. 189. Domestic work is not very widespread in Lithuania. While broadly supporting the objectives of the International Labour Organization, Lithuania ensures the fundamental rights and freedoms of domestic workers, including child domestic workers, by its national legislation. Moreover, Lithuania complies with relevant European Union legislation.

7. Lithuania **does not support** recommendations 7 and 8 concerning ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. Lithuania has assumed the obligations under the International Covenant on Economic, Social and Cultural Rights and, as required by the Covenant, to the maximum of its available resources, is taking all steps with a view to achieving progressively the full realization of the rights recognized therein. At the moment, Lithuania does not plan to assume any international obligations that would limit the discretion enjoyed by the national legislature in distributing State resources as a result of quasi-judicial decisions of international institutions.

8. Lithuania **does not support** recommendations 12–14 regarding accession to the Convention against Discrimination in Education. Lithuania has launched the internal legal procedures necessary for the accession to international treaties; however, Lithuania would propose to update this Convention by providing for more responsibilities for the States and believes that it would be appropriate to accede to the Convention when it is updated. Lithuania has a more progressive legal regulation in force as compared to that of the existing Convention.

9. Lithuania **does not support** recommendations 21 and 22 as regards joining the European Charter for Regional or Minority Languages. The Lithuanian language has the status of the State language in Lithuania. Lithuania has also enabled wide use of minority

languages (in the areas of education and culture; furthermore, persons who are not proficient in the State language are entitled to translation/interpretation in judicial and administrative proceedings) in compliance with the requirements of the human rights legislation of the United Nations that legally bind Lithuania. At present, further expansion of the opportunities to use minority languages is being considered, while ensuring the interests of using the Lithuanian State language in public life.

10. Lithuania **does not support** recommendation 58 to eliminate discrimination on the basis of language in the area of education and employment insofar as it alleges non-compliance of Lithuanian legislation and practice with international law. The Lithuanian Constitution and laws prohibit discrimination. The Law on Education provides for and elaborates on the right to be educated in the State and mother language. As regards employment, the Law on Equal Opportunities implementing EU law provides for exceptional cases when, by reason of the nature of particular occupational activities or the conditions in which they are carried out, a certain characteristic of an individual, including language, constitutes a genuine and determining occupational requirement, on the basis of which differentiation is possible. Such a differentiation is not considered discrimination.

11. Lithuania **does not support** recommendations 87 and 89 to amend and review the Law on the Protection of Minors against the Detrimental Effect of Public Information. Lithuania's position is that this Law is necessary for the protection of the child's rights, and that proper, i.e. non-discriminatory application of the Law is facilitated by educational measures. The monitoring of the application of this Law does not indicate that the Law is being implemented in a discriminatory manner.

12. Lithuania **does not support** recommendation 143 to provide proper conditions and financial means for national minority schools within the framework of the education reform insofar as it alleges non-compliance of Lithuanian legislation and practice with international law. The Law on Education provides for the requirements of education quality and its monitoring. It should be noted that the national minority schools are allocated more funds than other schools. According to the Methodology for the Calculation and Allocation of the Student's Basket Funds approved by Government Resolution, the student's basket allocated for minority schools is 20 per cent higher than for other schools.